

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

October 14, 2008

No. 07-40260
Summary Calendar

Charles R. Fulbruge III
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

RONALD GENE SPEIGHTS,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Texas
No. 1:06-CR-106-1

Before SMITH, STEWART, and SOUTHWICK, Circuit Judges.

PER CURIAM:*

Ronald Speights argues that his case should be remanded to allow the district court to consider a sentence reduction as a result of Amendment 706 to the

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

United States Sentencing Guidelines. The government responds that this appeal is barred by the waiver-of-appeal provision in the plea agreement. We review the validity of an appeal waiver de novo. See *United States v. Baymon*, 312 F.3d 725, 727 (5th Cir. 2002).

The record shows that Speights's waiver was knowing and voluntary, and he has not raised an issue on appeal that falls within the exceptions to the waiver. See *United States v. Bond*, 414 F.3d 542, 544 (5th Cir. 2005). Accordingly, the waiver bars review of the sentence.

Speights can pursue a reduction in sentence in the district court pursuant to 18 U.S.C. § 3582(c)(2). See U.S.S.G. § 1B1.10. We express no opinion on the viability of such relief as it pertains to Speights.

AFFIRMED.